

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 RAMON CARRILLO ALEJO,

8 Petitioner,

9 v.

10 JAMES R. KEY,

11 Respondent.

Case No. C17-0610RSM

ORDER DISMISSING FEDERAL
HABEAS ACTION

12
13 The Court, having reviewed Petitioner's federal habeas petition, Respondent's answer to
14 the petition, the Report and Recommendation ("R&R") of Mary Alice Theiler, United States
15 Magistrate Judge, Petitioner's Objections thereto, and the remaining record, hereby finds and
16 ORDERS:

17 (1) The Report and Recommendation is approved and ADOPTED. Petitioner objects
18 to the R&R, essentially arguing that Judge Theiler addressed the wrong questions and applied the
19 wrong legal standard to each of his grounds for relief. Dkt. #19. He asserts that the fundamental
20 question to be answered by this Court is whether he was given a fair trial, and that the answer
21 should be "no." *Id.* Having reviewed the R&R, Petitioner's Objections thereto, and the remainder
22 of the record, the Court is not persuaded by Petitioner's Objections. Nothing in those Objections
23 demonstrated that Judge Theiler applied the wrong legal standards at any step of her analysis.

ORDER DISMISSING FEDERAL
HABEAS ACTION - 1

1 (2) Petitioner's petition for writ of habeas corpus (Dkt. #4) is DENIED, and this action
2 is DISMISSED with prejudice.

3 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
4 United States District Courts, a Certificate of Appealability is DENIED. Petitioner asserts in his
5 Objections that he is entitled to a Certificate of Appealability. Dkt. #19 at 10. However, given the
6 conclusion that this Petition should be dismissed for the reasons stated in the R&R, the Court also
7 agrees with Judge Theiler that no reasonable jurist could disagree with the Court's resolution of
8 this matter. *See* Dkt. #18 at 20.

9 (4) The Clerk SHALL send copies of this Order to Petitioner, to counsel for
10 Respondent, and to the Honorable Mary Alice Theiler.

11 DATED this 21 day of February, 2018.

12
13 

14 RICARDO S. MARTINEZ
15 CHIEF UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23